

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHANE R. ENGBERG,

Plaintiff,

v.

JASON BENNETT,

Defendant.

CASE NO. 2:24-cv-00888-DGE-

DWC

ORDER DISMISSING WITHOUT
PREJUDICE AND DECLINING
REPORT AND
RECOMMENDATION

This matter comes before the Court on the Honorable Magistrate Judge David W. Christel's Report and Recommendation recommending dismissal of Plaintiff's claims for failure to exhaust state court remedies. (Dkt. No. 6.)

Plaintiff did not file an objection to the Report and Recommendation. Instead, Plaintiff filed a motion for voluntary dismissal pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. (Dkt. No. 7.)

1 The Court GRANTS Plaintiff's Motion for Voluntary dismissal (Dkt. No. 7) and declines
2 to adopt Judge Christel's Report and Recommendation (Dkt. No. 6) as MOOT. Plaintiff's claims
3 are DISMISSED without prejudice.

4 IT IS SO ORDERED.

5 Dated this 29th day of August.

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David G. Estudillo
United States District Judge